

Application No.: 10/773,389

Docket No.: 29939/03004A
(PATENT)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 7, 2005

Signature:

(Bryan J. Lempia)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Brandi Loucks et al.

Application No.: 10/773,389

Filed: February 5, 2004

Art Unit: 3727

For: Laundry Basket with Hip Hugging Feature

Examiner: Not Yet Assigned

DECLARATION OF FACTS UNDER 37 C.F.R. 1.47(A)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Meggan F. Duffy, hereby state as follows:

1. I make this Declaration of Facts regarding the facts and circumstances known to me concerning the inability to secure a signed or executed Declaration of a co-inventor, Mr. Fred J. Reber (Mr. Reber), in the above-identified patent application (application).

2. To date, I have not been able to either locate or contact Mr. Reber. On August 4, 2005, I spoke with Ms. Lynn Browning (Ms. Browning), the intellectual property paralegal and coordinator for Rubbermaid. In response to my questions, she stated that Rubbermaid's Human Resources records show that Mr. Reber's full name is "Frederick J. Reber." She further stated that Rubbermaid's last known address on file for Mr. Reber is:

6262 Newkirk Road
Shreve, Ohio 44676

3. In addition, I conducted two internet searches using Yahoo's People Search feature. Neither search nor a related call revealed any new accurate address or telephone contact information for Mr. Reber. More specifically, a search for Mr. Reber directed to Ohio alone did not find any matching results. A copy of the search results are attached hereto as *Exhibit A*. In addition, a search for Mr. Reber directed to the entire United States found nine potential matches; a copy of the search results is attached hereto as *Exhibit B*. However, only one of the matches from this search closely corresponded to Mr. Reber's correct full name, as provided to us by Ms. Browning. An attempt to contact Mr. Reber at a number provided for this listing that most closely matched Mr. Reber's full name was unsuccessful.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I hereby further declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: October 7, 2005

Respectfully submitted,

By

Meggan F. Duffy

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PEOPLE SEARCH RESULTS 1 - 9 out of about 9.

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